

HANOVER PLANNING BOARD



SEPTEMBER 11th, 2006

MINUTES OF MEETING

At 6:45 P.M., the Chairman Peter Moll called to order the September 11, 2006 meeting of the Hanover Planning Board. He asked for a moment of silence to remember those victims of the September 11 attacks. Peter Moll, Rich Deluca, Brian Connolly, Maryann Brugnoli and Gary Hendershot were present. Associate member Steve Rusko was present. Associate member Bernie Campbell was absent. Town Planner, Andrew Port was also present. The Board reviewed the minutes of the August 8, 2006 meeting. Maryann motioned to accept the August 8th minutes as written. Rich seconded the motion and it was so voted unanimously.

PUBLIC HEARINGS

778 Washington Street – PB02-5SP

At the applicant's request Maryann Motioned to continue the hearing until December 11, 2006 at 7:00 p.m. Rich seconded the motion and it was so voted 5-0.

Hanover Hills– PB07-5C

The Chairman opened the hearing at 8:05 p.m. Gary read the public hearing notice into record. Paul Ricciardi, the developer was present and his engineer went over the plans. Dave Nyman of ENSR went over his comments and the Town Planner went over some of his concerns. Particular points of interest were the number of retention basins proposed on the site, drainage, the cut and fill and the possibility of the resident at 166 Cross Street remaining in her house until the road is complete before it is razed. The Board indicated to the applicant that there was more work to be done on the plan. Maryann motioned to continue the hearing until October 16, 2006 at 7:00 p.m. Rich seconded the motion and it was so voted 5-0.

SIGNING OF LOT RELEASES, FORM A'S, DECISIONS, AND BILLS

The Board reviewed an ANR Form A PB07-7A for 311 Pleasant Street. Maryann made a motion to endorse the Plan. Rich seconded the motion and it was so voted 5-0.

The Chairman endorsed decisions for PB06-21SP - Cri-Tech at 85 Winter Street, PB06-15C – River Path Definitive Subdivision, PB06-23SP – McDonalds at 1392 Washington Street, and PB06-18LSP – South Paws at 409 Columbia Road. The 20 day appeal period had expired for all of these decisions.

The Board endorsed various invoices.

The Board reviewed a request by A.W. Perry to release lots 1-8 at Windward Lane Definitive Subdivision PB06-15C. Maryann made the motion to release lots 1-8 and establish a \$49,500 Guaranteed Deposit Account for the subdivision. Brian seconded the motion and it was so voted 5-0. The Town Planner had received a check from A.W. Perry to establish the account.

Rich made a motion to refund the balance of the Consultant Review fund for Cri-Tech at 85 Winter Street PB06-21SP to the applicant. Gary seconded the motion and it was so voted 5-0.

Maryann made a motion to refund the balance of the Consultant Review fund for Honeysuckle Lane-PB04-1C to the applicant. Rich seconded the motion and it was so voted 5-0.

The Board endorsed the final Mylar plans for River Path Subdivision.

OTHER BUSINESS

785R Washington Street –PB07-9LSP

At 8:30 p.m. the Board met with Mr. Chris Fisher to discuss a Limited Site Plan review for property at 785R Washington Street. Mr. Fisher showed the Board his plan to raise the roof on the existing structure by 2.5 feet. At a previous meeting the Board had voted to grant Mr. Fisher a Limited Site Plan Review. Mr. Fisher described the renovations to the building and the Town Planner went over his brief comments concerning the site. Jim O'Brien and abutter to the property asked if any notice had been sent out. The Board explained that no notification was necessary with a Limited Site Plan Review. Jim Rodriguez asked the Board a few questions that were answered by the Town Planner. Gary made a motion to grant the Limited Site Plan to allow the alteration of the structure as described in the elevation plan, drawing A-1 dated August 7, 2006. Rich seconded the motion. The Chairman asked for any further discussion and the Board requested that any dumpster on the property be enclosed. It was so voted 5-0. Maryann abstained as an abutter to the property. The Chairman appointed Steve Rusko to sit in for Maryann.

The Board was given a list of trees from the DPW that are to be cut or removed per the Scenic Roads Act. They divided the list and will inspect the trees prior to the Scenic Roads hearing scheduled for September 25, 2006 at 7:15 p.m.

The Board went over the draft of the decision for the Village Commons VPUD. They went over the special conditions with the applicant, Jim O'Brien. The Board revised conditions 16 and 52 on the draft. Gary made a motion to approve the special permit decision PB07-2LSP as amended. Rich seconded the motion and it was so voted 5-0. Maryann abstained as an abutter. Steve Rusko had been appointed by the Chairman to sit in for Maryann at a previous hearing.

The Board met with Jim O'Brien to discuss the landscaping plan at the Elms PRDS. Maryann Made a motion to find that the applicant for The Elms PRDS development expansion (PB02-6SPM) has complied with Special Condition # 6 of said Special Permit decision for a "suitable landscape buffer" and that no additional landscaping is necessary – other than the plantings shown on the approved Site Plan (Sheet L-1) - to buffer the Cushing Hill Road area from the new "Road E" and add landscaping at the detention basin adjacent to the cul-de-sac. Brian seconded the motion and it was so voted 5-0.

The Board discussed the idea of a possible Zoning Article Petition concerning dry cleaning/ beauty shops in the Aquifer Protection District. Jim O'Brien brought the idea to the Board and asked for their opinion on the feasibility of such an article and if the Board would be willing to sponsor it. The Board discussed the possibility and determined that they would not be comfortable sponsoring such an article at the Special Town Meeting scheduled for October of this year. Maryann suggested that Mr. O'Brien bring the article forward by petition at the Special Town Meeting and if it is not accepted the Board would be willing to look at it further after that and possibly sponsor the article for the Annual Town Meeting in May of 2007.

The Board discussed the request by Mark Ridder of Broadway Development Corp. to have the amount of the Guaranteed Deposit for Broadway Glen Definitive Subdivision reduced to return a portion of the funds to him. The Board decided to defer this matter to see if the road is accepted at Town Meeting in May of 2007.

The Board discussed a request from Joshua Bows at Merrill Association for a slight modification to the plans for Berkshire Estates Definitive Subdivision. Rich made a motion to approve a minor plan modification for the Berkshire Estates Definitive Subdivision (PB04-18C) to allow the relocation of two Catch Basins to be offset approximately 20' further up the proposed roadway ("Jutilla Farm Path") from Union Street as indicated on the

approved plans. Said modification, including the correction of several grading and elevation notations, as indicated in a transmittal sheet and revised plan set from Merrill Associates, dated September 6th, 2006 and September 5th, 2006, respectively. Steve seconded the motion and it was so voted 5-0.

The Board reviewed a request from Jim Leonard of Sun Construction to change the street trees originally proposed for the Oak Hill Estates Definitive Subdivision from 10 Red Oak and 11 Greenspire Linden to 21 Bradford Pear trees. Maryann motioned to approve the change. Rich seconded the motion and it was so voted 5-0.

The Board reviewed a request from Mr. Joseph Nisby to replace the landscaping at 386 Columbia Road. The Board approved the request and the list of landscaping materials Mr. Nisby had sent to the Board.

APPOINTMENTS

The Board met with Brian Murphy of VHB to discuss the CVS on the corner of Rockland Street and Columbia Road. Mr. Murphy was accompanied by Paul Guay of Gershman Brown Associates. Mr. Murphy told the Board that CVS would be requesting a temporary occupancy permit to open on October 1, 2006. The Board expressed concern with the incomplete condition of the roadway in front of the CVS site as well as the internal conditions of the site and the safety of the incomplete site. Mr. Murphy told the Board that they were waiting for the OK from Mass Highway to complete the road. He told the Board that the internal site would be complete before October 1, but that they couldn't be sure that Mass Highway would give them permission to finish the road before then. He said that they were waiting for Verizon to move their lines so they could move the telephone poles. Mr. Murphy told the Board that CVS has a performance bond in place with Mass Highway and they expected to have the road complete before the end of October. The Board asked that he come back on September 25th and request the temporary occupancy permit then. The Town Planner and Mr. Murphy would come up with a punch list prior to that meeting that the Board could use to ensure all of the work was complete. Maryann made a motion to request a letter from CVS promising all road repairs would be complete by November 1, 2006 and a list of all work to be completed at the site be delivered to the Board by September 22, 2006. If the punch list is complete and the fire and police are satisfied the Board would then vote on the temporary occupancy permit. Rich seconded the motion. Brian was still concerned with the conditions and felt that CVS should have given the Board a written notice from Mass Highway saying they weren't allowed to work on the street. Peter called for the vote and it was so voted 4-1.

The Board had an informal meeting with Doug Heald to discuss the possible development of 1972 – 1978 Washington Street (at Saturn Drive) Mr. Heald went over the proposed plan with the Board and a discussion concerning the site layout of two buildings, the flow of traffic, and the drive through window. Mike Abend discussed the traffic implications and Bob Marzelli talked about the need for waivers and/or permits from the ZBA. The Board told them to be sure to review the Zoning Bylaws concerning the regulations for drive through windows and that they would need a proof of easement through Saturn Drive.

The Board met with Mr. Paul Ricciardi concerning his Absalom Woods Definitive Subdivision. The Board explained that they were very disappointed with the conditions of the roadway and the fact that after 2 years the road is still not complete. There was a discussion about the conditions of the road and landscaping. Maryann made a motion to seize the funds being held by the Board in accordance with the provisions of the Subdivision Control Law (Massachusetts General Laws, Chapter 41, Section 81U) to complete the construction of roadways and installation of utilities as specified in the approval of the Definitive Plan. Brian seconded the motion and it was so voted 5-0.

Peter gave the Board a brief update on the Community Preservation Committee meeting that he has attended. He reminded the Board that the CPC would be meeting again on Wednesday September 27 at 7:30 p.m.

The Town Planner gave the Board a packet of information pertaining to the upcoming Master Plan. They had a brief discussion of the issues involved and decided to take it up at 6:15 p.m. on September 25, 2006.

Maryann motioned to adjourn at 10:20 p.m. Rich seconded the motion and it was so voted unanimously.

Meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Margaret Hoffman

PLANNING BOARD SECRETARY